IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

SUMMONS FOR JUDGMENT NO. 932 OF 2004

IN

SUMMARY SUIT NO. 3059 OF 2004

M/s. Ramlord Fadrics .....Plffs.
vs.
Omprakash Agarwal and anr. .....Defnds.

R.C. Kaushik for the plaintiffs.

A.M. Saraogi for the defendants.

CORAM: S.U. KAMDAR, J.

DATE : 18th October, 2005.

P.C. :.

1. The present suit is filed on the basis of goods sold and delivered. The invoices are annexed at Ex.A being invoice dated 3.10.2002. The said invoice makes a reference of challan no. 186 also dated 3.10.2002. The said challan is not annexed to the plaint. I called upon the plaintiff to

produce the said challan but however he states that it is not possible to produce the challan. In my opinion there is no written contract. Triable issue arises in the matter. Summons for Judgment dismissed. No order as to costs.

sd/-

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